SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
DEPTT. OF PERSONNEL, ADM., REFORMS & TRAINING
GANGTOK

No. 182/GEN/DOP **Dated: 28.2.2004.**

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Sikkim is hereby pleased to make the following rules: namely: -

1. **Short title and Commencement:**

(1) These rules may be called the Sikkim State Educational Training Service Rules 2004.
(2) They shall come into force at once.

2. **Definitions:**

In these rules, unless the context otherwise require:-

(a) "appointed day" means the date from which the provisions of these rules shall come into force;
(b) "Commission" means Sikkim Public Service Commission;
(c) "Committee" means the Committee constituted under rule 7;
(d) "cadre post" means any of the post specified in Schedule I;
(e) "Controlling authority" means the Government in the Department of Personnel, Administrative Reforms and Training;
(f) "Government" means the State Government of Sikkim;
(g) "Governor" means the Governor of Sikkim;
(h) "Member of service" means a person who is appointed to the Service in accordance with provisions of these rules;
(i) "Service" means Sikkim State Educational Training Service Rules 2004;
(j) "Schedule" means Schedules appended to these rules.
(k) "Year" means the year commencing on the 1st day of April and ending on 31st day of March next following

3. **Constitution of Service:**

(1) There shall be constituted the Service called the Sikkim State Educational Training Service consisting of persons appointed to the Service under rules 6 and 7.
(2) The authorized strength and composition of the Service shall be as indicated in Schedule I at the initial constitution and shall be as determined by the Governor from time to time.
(3) The scales of pay attached the posts specified in Schedule I shall be such as may be prescribed

by the Governor from time to time. On the appointed day, the scale of pay admissible to the members of Service shall be as shown in Schedule I.

4. **Members of Service: -**

(1) The following persons shall be the member of the Service:

(a) persons appointed under rule 6; and

(b) persons appointed under rule 7.

(2) A person appointed under clause (a) of sub-rule (1) shall on such appointment be deemed to be a member of the Service in the appropriate Grade applicable to him in Schedule I.

(3) A person appointed under clause (b) of sub-rule (1) shall be member of the Service in the appropriate Grade applicable to him in Schedule I from the date of such appointment.

5. **Appointment and posting:**

(1) All appointments to the cadre posts after the appointed day shall be made by the Governor by the method as specified in rule 7 and save as provided in sub-rules (2) and (3), no cadre post shall be filled otherwise than by a member of the Service.

(2) Any cadre post may be filled up as a temporary measure by a person from another department of the Government having the requisite qualification and experience on deputation if the Government is satisfied that there is no suitable member of the Service available for filling the post.

(3) Notwithstanding anything contained in sub-rules (1) and (2), the Government shall have the right to fill up any cadre post by obtaining officers of similar Service on deputation from the Central or other State Government for any period of time.

(4) A member of the Service may, in public interest, be posted by Government to any post under an organization on such terms and conditions as may be specified by the Government.

6. **Initial Constitution of Service:**

All persons holding, on the appointed day any of the cadre posts, otherwise than as a purely temporary arrangement or on contract or on deputation from Central or any other Government shall be deemed to have appointed to the corresponding post and grades in the Service.

7. **Recruitment by promotion:**

(1) There shall be a Selection Committee consisting of the following members namely:

(a) Chairman, Sikkim Public Service Commission;

(b) Member, Sikkim Public Service Commission;

(c) Secretary to the Government in the Department of Personnel, Adm. Reforms & Training;

(d) Secretary to the Government in the Department of Education;

(e) Secretary to the Government to be nominated by the government;

(2) The Commission may co-opt any other suitable expert/ advisor. Commission shall preside over the meeting of the "Committee. The absence of a member other than the Chairman or Member of the Commission shall not invalidate the proceedings of the Committee if more than half the members of the Committee had attended its meeting.

(3) The Govemment shall every year, for the purpose of recruitment by promotion to the Service where such promotion is provided, prepare a list of names of eligible persons in order of seniority who have on the first day of the year completed the required length of years of service as indicated in Schedule II.

(4) The number of candidates to be included in the list prepared under sub-rule (3) shall not exceed

5 (five) times the number of vacancies anticipated.

Provided that such restriction shall not where the numbers of eligible persons are less than the maximum permissible number and in such a case the names of all the eligible persons shall be forwarded.

(5) The Government shall forward to the Commission the list of persons referred to in sub-rule (3) together with their character rolls and service records of the period such persons have to complete to become eligible for promotion along with uptodate annual property returns indicating the anticipated number of vacancies to be filled by promotion in course of period of 12 months commencing from the date of preparation of the list.

(6) The Commission shall prepare a final list of persons who are found to be suitable for promotion to the Service on overall relative assessment of their character rolls, Service records and interview.

(7) The number of persons to be included in the final list shall not exceed twice the number of vacancies to be filled by promotion.

(8) The Commission shall forward the final list prepared under sub-rule (6) to the Government along with the character rolls, service record and uptodate annual property return received from the Government.

(9) The list shall ordinarily be in force for a period of twelve months from the date of the recommendation of the Commission.

(10) Appointment by promotion of persons included in the final list to the Service shall be made by the Government in order in which the names of persons appear in the list for the time being in the force.

(11) It shall not be ordinarily necessary to consult the Commission before such appointment is made unless during the period intervening between the inclusion of the name of the persons in the list and the

(12) date of proposed appointment, there occurs deterioration in the work of the person which in the opinion of the Government is such as to render him unsuitable for appointment by promotion to the Service.

8. Probation

(1) Every person recruited to the service shall be appointed to the Service on probation for a period of one year,

(2) The Government may, if so thinks fit, extend the period of probation by a period not exceeding one year.

9. Discharge of Probationer

A probationer shall be liable to be discharged from the Service or reverted to his substantive Service if:-

(a) The Government is satisfied that the probationer was ineligible for recruitment to the Service or is unsuitable for being a member of the Service; or

(b) he fails to comply with any of the provisions of these rules.

10. Confirmation

Where a probationer has completed his period of probation to the satisfaction of the Government he / she shall subject to the other provisions of these rules be confirmed in the Service at the end of his/her period of probation.

11. Promotion from one grade to another in the Service

(1) The Committee constituted under rule 7 shall also be Committee for the purpose of promotion of the members of the Service to higher grades of the Service.

(2) The Chairman or where the Chairman is unable to attend, the member of the Commission shall preside over the meeting of the Committee. The absence of the Chairman or the member of the Commission shall not invalidate the proceedings of the Committee if more than half the member of the Committee has attended its meeting.

(3) The Government shall, from time to time, for the purpose of sub-rule (1) prepare a list of names

of the members of the Service in order of seniority who have completed the prescribed length of service as indicated in Schedule II for promotion to the next higher grade on the first day of the year.

(4) The Government shall forward to the Commission the list prepared under sub-rule (3) along with the character rolls and service records of the periods the member of the Service has to complete to become eligible for promotion along with uptodate annual property returns indicting the anticipated number of vacancies to be filled by promotion in course of period of twelve months commencing from the date of preparation of the list.

(5) The Committee, after satisfying themselves that the records and the in-formations complete in all respect have been received, shall convene a meeting of the Committee. The Committee shall prepare a final list of the officers who are found suitable for promotion.

(6) The number of persons to be included in the list shall not exceed twice the number of vacancies to be filled by promotion.

(7) The Commission shall forward the final list prepared under sub-rule (5) to the Government along with Character rolls, service records and uptodate annual property returns received from the Government.

(8) The list shall ordinarily be in force for a period of twelve months from the date of recommendation of Commission.

(9) Promotion of the persons included in the list to the relevant higher grade shall be made by the Government against the existing vacancies in the order in which their names appear in the list.

(10) It shall not be ordinarily necessarily to consult the Commission before such promotion is made unless during the period of 12 months form the date of recommendation of the Commission there occurs deterioration in the work of the member of the Service which in the opinion of the Government is such as to render him unsuitable for promotion.

12. Administrative Control

(1) The control over the Service including appointments, transfer and deputation shall vest with the Government in the Department of Personnel, Administrative Reforms & Training.

(2) The headquarter of a member of the Service shall not be changed save with the concurrence of the Department of Personnel, Administrative Reforms & Training.

(3) A member of the Service shall not be transferred outside the Service or any other Government or and organization save with the concurrence of the Department of Personnel, Administrative Reforms & Training.

13. Residuary matters

All other matters in relation to the Service not specified or for which no provision have been made in these rules shall be regulated by rules and orders applicable to other officers of the Government having equivalent status.

14. Interpretation

If any question arises as to interpretation of these rules, the decision of the Government thereon shall be final.

15. Power to relax

Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or cadre posts.

C.L. Sharma,
ADDITIONAL SECRETARY TO THE GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL, ADM. REFORMS TRAINING.

SCHEDULE-I

(See rule 3 (3)

COMPOSITION, STRENGTH, GRADE AND SCALE OF PAY OF SIKKIM STATE EDUCATIONAL TRAINING SERVICE

Sl. No.	Name of the post	Strength	Grade	Scale of pay
1.	Assistant Director	08	Junior Grade	Rs 7,000-225-11500
2.	Deputy Director	06	Senior Grade	Rs. 9,000-300-13800
3.	Joint Director	02	Selection Grade 11	Rs. 11,000-350-16250
	Total Authorized strength	**16**		

SCHEDULE - II

(See rule 7 AND 11)

Sl. No. Post/grade	Mode of recruitment	Eligibility conditions
1. Assistant Director Junior Grade	100 per cent by direct recruitment	(i) Qualification M.A. /M SC. With B. Ed./ M. Ed from recognized University with 5 years teaching experience. (Must have minimum 55 % marks in masters' degree) (ii) Candidates possessing higher qualification shall be given preference. (iii) Age minimum 21 years - maximum 30 years .Upper age is relaxable by 5 years in case of SC/ST and 3 years for OBC and MBC candidates. (iv) Must be able to converse in one of the languages-Nepali, Sikkemese - Bhuita, (v) Must have the knowledge of culture and tradition of Sikkim (vi)Must posses Local Employment Card
2. Deputy Director Senior Scale	100 per cent by promotion on Seniority-cum-merit basis	6 (six) years of regular service as Assistant Director.
3. Joint Director Selection Grade II	100 per cent by promotion on Seniority-cum-merit basis	6 (six) years of regular service as Deputy Director

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